

1 JAMES P. C. SILVESTRI, ESQ
2 Nevada Bar No. 3603
3 BRIAN W. GOLDMAN, ESQ.
4 Nevada Bar No. 6317
5 PYATT SILVESTRI
6 701 Bridger Ave., Suite 600
7 Las Vegas, Nevada 89101
8 T. (702) 383-6000
9 F. (702) 477-0088
jsilvestri@pyattsilvestri.com
bgoldman@pyattsilvestri.com

7 Attorneys for Plaintiff,
8 *PREFERRED CONTRACTORS*
9 *INSURANCE COMPANY,*
10 *RISK RETENTION GROUP, LLC*

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 PREFERRED CONTRACTORS) CASE NO.: 2:20-cv-01759-RFB-BNW
14 INSURANCE COMPANY, RISK)
15 RETENTION GROUP, LLC)
16 Plaintiff,)
17 vs.) **PROPOSED JOINT DISCOVERY PLAN**
18 D & T DESIGN CONTRACTORS, LLC;) **AND SCHEDULING ORDER**
19 ZHIQIANG WENG; YESINA MILLAN,) **SUBMITTED IN COMPLIANCE WITH**
20 Individually, and as Mother and Natural) **LR 26-1(b)**
21 Guardian of ESLIA SIMON, CRISTAL)
22 SIMON, GISELE SIMON, and JASMINE)
23 SIMON, minor children; and VICTOR)
24 PEREZ BRAVO,)
25 Defendants.)
26 _____

27 COME NOW Plaintiff PREFERRED CONTRACTORS INSURANCE CO., RISK
28 RETENTION GROUP, LLC, by and through its counsel, JAMES P.C. SILVESTRI, ESQ., and
BRIAN W. GOLDMAN, ESQ., of the law firm PYATT SILVESTRI, and Defendants D & T
DESIGN CONTRACTORS, LLC and ZHIQIANG WENG, by and through their counsel, JENNIFER
WILLIS ARLEDGE , ESQ., of the law firm of SGRO & ROGER; and Defendants YESENIA
MILLAN, INDIVIDUALLY AND AS MOTHER AND NATURAL GAURDIAN OF ELISA
SIMON, CRISTAL SIMON, GISELE SIMON, AND JASMINE SIMON, MINOR CHILDREN by

1 and through their counsel, IAN SAMSON, ESQ., of the law firm of PANISH SHEA & BOYLE,
 2 LLP and hereby submit this Proposed Joint Discovery Plan and Scheduling Order.

3 **Fed.R.Civ.P. 26(f) Conference:**

4 The parties conducted the FRCP 26(f) conference on December 23, 2020, and there were no
 5 discovery disputes at that time. Plaintiff and Defendants will serve their Initial Disclosure Statements
 6 in a timely manner. The parties agree that discovery may be conducted on all matters pursuant to
 7 FRCP 26(b). Based upon the allegations in the Complaint, the parties now propose the following
 8 discovery plan:

9 1. **Discovery Cut-Off Date:** Defendant D & T Design Contractors, LLC filed its Answer
 10 to Plaintiff's Complaint on December 8, 2020. D & T Design Contractors, LLC and Zhiqiang Weng
 11 filed an Amended Answer to Complaint's Complaint on December 10, 2020. Based on the nature of
 12 the allegations in the Complaint, the parties require 180 days for discovery. The parties request a
 13 discovery cut-off date of June 23, 2021, 180 days after the FRCP 26(f) conference.

14 2. **Amending the Pleadings and Adding Parties:** The parties request that all motions
 15 to amend the pleadings or to add parties be filed no later than March 23, 2021 – 90 days prior to the
 16 proposed close of discovery.

17 3. **Fed.R.Civ.P. 26 (a)(2) Disclosure (Experts):** The parties request the disclosure of
 18 experts be made on or before April 23, 2021 – 60 days before the proposed discovery cut-off date.
 19 Disclosure of rebuttal experts shall be made by May 24, 2021 – 30 days after the initial disclosure of
 20 experts.

21 4. **Dispositive Motions:** The date for filing dispositive motions shall not be later than
 22 July 23, 2021 – 30 days after the proposed discovery cut-off date. In the event that the discovery
 23 period is extended from the discovery cut-off date set forth in this proposed Discovery Plan and
 24 Scheduling Order, the date for filing dispositive motions shall be extended to be not later than 30 days
 25 from the subsequent discovery cut-off date.

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PYATT SILVESTRI
A PROFESSIONAL LAW CORPORATION
701 BRIDGE AVENUE, SUITE 600
LAS VEGAS, NEVADA 89101-8941
PHONE (702) 383-6000 FAX (702) 477-0088

1 5. **Pretrial Order:** The date for filing the joint pretrial order shall not be later than August 23,
2 2021 – 30 days after the cut-off date for filing dispositive motions. In the event that dispositive
3 motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after
4 decision on the dispositive motions or until further order of the court. In the further event that the
5 discovery period is extended from the discovery cut-off date set forth in this Discovery Plan and
6 Scheduling Order, the date for filing the joint pretrial order shall be extended in accordance with the
7 time periods set forth in this paragraph.

8 7. **Alternative Dispute Resolution:** The parties certify that they met and conferred
9 about the possibility of using alternative dispute-resolution processes including mediation,
10 arbitration, and early neutral evaluation.

11 8. **Alternative Forms of Case Disposition:** The parties certify that they considered
12 consenting to trial by a Magistrate Judge or engaging in the Short Trial Program under Fed. R. Civ.
13 P. 73 and at present do not consent to either alternative form of case disposition.

14 DATED this 22nd day of January 2021.

DATED this 22nd day of January 2021.

15 **PYATT SILVESTRI**

SGRO & ROGER

16 */s/ Brian W. Goldman*

/s/ Jennifer Willis Arledge

BRIAN W. GOLDMAN, ESQ.

ANTHONY P. SGRO, ESQ.

Nevada Bar No. 6317

Nevada Bar No. 3811

JAMES P.C. SILVESTRI, ESQ.

JENNIFER WILLIS ARLEDGE, ESQ.

Nevada State Bar No. 3603

Nevada Bar No. 8729

701 Bridger Avenue, Suite 600

720 South 7th Street, Third Floor

Las Vegas, Nevada 89101

Las Vegas, Nevada 89101

Attorneys for Plaintiff,

Attorneys for Defendant,

PREFERRED CONTRACTORS

D & T DESIGN CONTRACTORS, LLC and

INSURANCE COMPANY,

Zhiqiang Weng

RISK RETENTION GROUP, LLC

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PYATT SILVESTRI
A PROFESSIONAL LAW CORPORATION
701 BRIDGER AVENUE, SUITE 600
LAS VEGAS, NEVADA 89101-8941
PHONE (702) 383-6000 FAX (702) 477-0088

1 DATED this 22 day of January 2021

2 **PANISH SHEA & BOYLE LLP**

3 /s/ Adam Ellis

4 ADAM ELLIS, ESQ.

5 Nevada Bar No. 14514

6 8816 Spanish Ridge Avenue

7 Las Vegas, NV 89148

8 Attorneys for Defendants,

9 *YESENIA MILLAN, Individually*

7 *And as Mother and Natural Guardian of*

8 *ELISA SIMON, CRISTAL SIMON,*

9 *GISELE SIMON, AND JASMINE*

9 *SIMON, Minor Children*

10 **ATTESTATION OF CONCURRENCE IN FILING**

11 I hereby attest and certify that on, January 22, 2021, I received concurrence from
12 Defendants' counsel, Jennifer Willis Arledge, Esq., and Adam Ellis, Esq. to file this document with
13 their electronic signatures attached.

14 I certify under penalty of perjury under the laws of the United States of America that the
15 foregoing is true and correct.

16 Dated: January 22, 2021.

17 **PYATT SILVESTRI**

18 /s/ Brian W. Goldman

19 BRIAN W. GOLDMAN, ESQ.

20 Nevada Bar No. 6317

21 **ORDER**

22 **IT IS SO ORDERED**

23 **DATED:** 10:19 am, January 26, 2021

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25
26 **BRENDA WEKSLER**
27 **UNITED STATES MAGISTRATE JUDGE**